

*Dale M. Dorius*

ATTORNEY AT LAW

MAIN OFFICE  
P. O. Box U  
29 SOUTH MAIN STREET  
BRIGHAM CITY, UTAH 84302  
(801) 723-5219

BRANCH OFFICE  
P.O. Box 726  
47 MAIN STREET  
GUNNISON, UTAH 84634  
(801) 528-7296

ADMITTED:  
UTAH STATE BAR (1965)  
CALIFORNIA STATE BAR (1968)  
COLORADO STATE BAR (1968)

RECEIVED

MAR 08 1991

WATER RIGHTS  
SALT LAKE

March 6, 1991

DIVISION OF WATER RIGHTS  
Mr. Robert L. Morgan, State Engineer  
1636 West North Temple  
Salt Lake City, UT 84116

RE: SANPITCH RIVER PRIORITIES  
My Clients: Shareholders - Gunnison-Fayette Irrigation Co.

Dear Mr. Morgan:

I am in receipt of a copy of the Water Commissioner's report for the lower Sanpitch River distribution.

I am appalled at the report in regard to the Gunnison-Fayette Canal Company's rights. Gunnison Irrigation Company is furnishing water to Highland in violation of the Gunnison-Fayette priority rights and court decree.

At your meeting in Manti last year, you personally promised to clear up the water rights on the lower Sanpitch River. I am advised Gunnison Irrigation Company is diverting water from Six Mile Canyon onto Nine Mile Reservoir. I am further advised Gunnison Irrigation Company is using water from Twelve Mile Canyon to fill irrigation ponds. Gunnison-Fayette Canal Company's priority rights are being violated.

There appears to be no question that Gunnison Irrigation Company continues to divert water to the Highland Canal in violation of court decree. The water master has no knowledge or idea of where the measuring device is located.

This past year, Gunnison Irrigation used water on lands that have never been irrigated on their system. Gunnison-Fayette Irrigation Company has not received their water rights as you promised.

DIVISION OF WATER RIGHTS

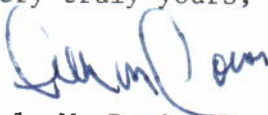
- 2 -

March 6, 1991

I would request and appreciate if you would immediately correct these violations. The farmers and shareholders of the Gunnison-Fayette Irrigation Company are and continue to suffer substantial and irreparable damages as a result of continued violations and loss of water.

Please advise in this regard.

Very truly yours,



Dale M. Dorius  
Attorney at Law

DMD/idd

cc: Division of Water Rights  
Southern Area Office

*Kirk is going to discuss with Gunnison Irrig Co.  
the need for a change application to be able to  
put earlier priority water in the Highland Detach.*